

Washington Beer and Wine Wholesalers Association

PO Box 1319
Olympia, WA 98507
(360) 352-5252
Fax: (360) 943-9784

FAX TRANSMISSION COVER SHEET

Date: March 12, 1999
To: All Wholesalers (Be sure this goes to company principals)
Re: SSB 5872 - .02 DUI
Sender: Phillip H. Wayt

YOU SHOULD RECEIVE ONE PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (360) 352-5252.

The information contained in this facsimile message is privileged and confidential. It is intended only for the use of the individual or entity to whom it is addressed. If you are not the intended recipient, or the employee or agent responsible for deliveries to the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this communication is strictly prohibited. If you received this facsimile in error, please notify us by telephone immediately.

Action Needed!!

Substitute Senate Bill 5872

As introduced by Senators Mike Heavey, Tracey Edie and Bob Oke SSB 5872 would make it a traffic infraction to drive with a blood alcohol content (BAC) level of .02 percent or higher. Offenders would lose their drivers license for 30 days and face a fine of \$500.

As our Tumwater, Washington police chief said, "You'd just about be getting anybody who had a drink." "Anybody who left a bar . . . would be susceptible." (Olympian 2/27/99)

SSB 5872 has moved out of the Senate Judiciary (Chaired by Senator Heavey) and is now in the Senate Rules Committee. It has to pass through a number of steps in that committee to move to the Senate floor for a vote. It has taken one such step.

PLAINTIFF'S EXHIBIT

CASE
NO. **CV04-0360P**

EXHIBIT
NO. **159**

EXHIBIT NO. 230 Date: 8/1/05
Deposition Of Phillip Wayt
CONNIE CHURCH, Court Reporter

WBW-03123

WBW_102008

If you have a senator on the Rules Committee, please contact them by telephone immediately! The Rules Committee is chaired by Lt. Governor Brad Owen. The democrat members are: Wojhan, Bauer, Costa, Edie, Franklin, Goings, Sheldon, B., Snyder, Spanel. The Republicans are: Deccio, Hale, Hochstatter, Horn, Johnson, McDonald and Sellar. Please look up their office number in the legislative directories we mailed out earlier in the session. Ask them to vote **NO** on SSB-5872 if it come us in Rules Committee.

You can also call the Legislative Hotline at 1-800-562-6000. However, calls to their individual office are more effective.

Although, if the bill passes the Senate, chances are good that we could kill it in the House with its 49-49 split, we cannot take that for granted. We must oppose it in Senate Rules now! We are on record opposing the bill and testified against the bill in the Senate Judiciary Committee along with the Tavern Association and Anheuser-Busch.

Here are some key talking points.

- .08 just became effective in Washington January 1, 1999. There is no evidence that it will even work. A recent study in North Carolina shows no positive effect from .08.
- Law enforcement doesn't support the bill. They have no money to enforce such a law and it would take police off the road to a greater extent than .08.
- .02 would kill the on-premise industry in Washington
- We should concentrate on seeing that the 13 DUI laws passed last session work against repeat offenders and those with a high BAC.

Please report *specific* input from individual senators to Laura in our office.

There is no time for letters. Please call today! Bills originating in the Senate must pass the full Senate by 5:00 P.M. on March 17,

WBW-03124

WBW_102009